

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DONNELL JACKSON,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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Case No. 11-20493

Honorable John Corbett O'Meara

**ORDER DENYING PETITIONER'S MOTION FOR RECONSIDERATION**

This matter came before the court on petitioner Donnell Jackson's August 18, 2015 motion for reconsideration of this court's July 16, 2015 order denying his motion to vacate, set aside or correct sentence. Pursuant to Local Rule 7.1(h)(2), no response was filed; and no oral argument was heard.

Although petitioner Jackson states that his motion for reconsideration is made under Rule 59(e) of the Federal Rules of Civil Procedure, that rule pertains to altering or amending a judgment. In this case Jackson seeks reconsideration of the court's order denying his motion brought under 28 U.S.C. § 2255.

Pursuant to Local Rule 7.1(h)(3),

Generally, and without restricting the court's discretion, the court will not grant motions for rehearing or reconsideration that merely present the same issues ruled upon by the court, either expressly or by reasonable implication. The movant must not only demonstrate a palpable defect by which the court and the parties and other persons entitled to be heard on the motion have been misled but also show that correcting the defect will result in a different disposition of the case.

In this case petitioner Jackson's motion for reconsideration "merely present[s] the same issues ruled upon by the court, either expressly or by reasonable implication." Plaintiff has failed to

“demonstrate a palpable defect by which the court and the parties . . . have been misled.”

Accordingly, the court must deny the motion.

**ORDER**

It is hereby **ORDERED** that petitioner Jackson’s August 18, 2015 motion for reconsideration is **DENIED**.

s/John Corbett O'Meara  
United States District Judge

Date: October 5, 2015

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, October 5, 2015, using the ECF system and/or ordinary mail.

s/William Barkholz  
Case Manager